

SUBCHAPTER E : COMPLAINT PROCESS

§344.80. Complaint.

(a) Any person with personal knowledge of any probable violation of the Texas Water Code Chapter 34, these rules, or commission order, may file a complaint with the executive director. The complaint must be in writing and must set forth the facts alleged.

(b) A written complaint should include the name and address of the person against whom the complaint is filed and the alleged facts: the alleged facts should be in detail including, but not limited to actual address of the job site of repair and/or installation.

Adopted May 29, 1996

Effective May 28, 1996

§344.81. Executive Director's Receipt of Complaint.

(a) Upon the receipt of a complaint, the executive director may send one copy of the complaint by certified mail to the respondent.

(b) If a complaint filed with the executive director does not allege sufficient facts upon which the executive director can determine the basis for enforcement of Texas Water Code Chapter 34 or the rules of the commission, the executive director may immediately notify the complainant.

Adopted May 29, 1996

Effective May 28, 1996

§344.82. Investigation of Complaint.

(a) The executive director may investigate each complaint that alleges sufficient facts upon which the executive director can determine the basis for enforcement of Texas Water Code Chapter 34, rules, or order of the commission.

(b) The executive director may investigate the matters complained of and may take steps to secure the respondent's voluntary compliance with the Texas Water Code Chapter 34, and these sections, or otherwise informally resolve the matter.

(c) Upon completion of the investigation, the executive director may file a written report including a detailed description of the investigation and any informal resolution.

Adopted May 29, 1996

Effective May 28, 1996

§344.83. Informal Resolution of Complaint.

Where the executive director determines that a complaint is informally resolved, the executive director will so inform the complainant and respondent in writing.

Adopted May 29, 1996

Effective May 28, 1996

§344.84. Enforcement.

(a) If the executive director determines through investigation of a complaint that evidence exists of a violation of the Texas Water Code Chapter 34, rules, or order of the commission, the executive director may initiate an enforcement action pursuant to Chapters 70 and 80 of this title (relating to Enforcement and Contested Cases Hearings).

(b) Commission Orders. The commission may issue orders to enforce the provisions of this chapter in accordance with the procedures applicable to orders issued under §34.011 of Chapter 34 of the Texas Water Code and in accordance with procedures in Chapters 70 and 80 of this title (relating to Enforcement and Contested Cases Hearings).

Adopted May 29, 1996

Effective May 28, 1996

§344.85. Surrender of Certificate and Identification Card; Seal.

Upon notification of revocation of a licensed irrigator's or licensed installer's registration by the commission, the affected irrigator or installer must immediately surrender the certificate of registration and identification card to the executive director and must cease using the official seal and any rubber stamp facsimile of the seal in the irrigator's possession.

Adopted May 29, 1996

Effective May 28, 1996

Repeal of: §§344.201, 344.204, 344.207, 344.210, 344.213, 344.216, 344.219, 344.222, 344.225

New: §§344.80-344.85

Date Adopted: May 29, 1996

Date Filed with the Secretary of State: June 3, 1996

Date Effective: June 28, 1996

Publication: June 14, 1996